



March 10, 2015

Via ECF

Honorable Joan M. Azrack
UNITED STATES DISTRICT COURT
Eastern District of New York
100 Federal Plaza
Central Islip, NY 11722

Re: *Deborah Ramey and Robert Kaible, individually and on behalf of all others similarly situated v. U.S. Forensic, LLC, Gary L. Bell, Michael P. Garove, Harry George Hernemar, Wright National Flood Insurance Company, Colonial Claims Corporation, and David Maxime*
Case No. 2:14-cv-06861-JMA-AKT

Dear Judge Azrack,

We represent the Plaintiffs, Robert Kaible and Deborah Ramey, in the above-referenced action. We are requesting a pre-motion conference for permission to file a motion to consolidate this action with another action currently pending in the Eastern District of New York pursuant to Rule 42. The case pending before this court involves allegations of fraud and other criminal acts that give rise to a civil claim under the RICO Act, 18 U.S.C. Sec. 1962(c). The Plaintiffs allege a scheme whereby the defendants altered engineering reports in order to deny an insurance claim made by Mr. Kaible and Ms. Ramey following Hurricane Sandy.

Plaintiffs seek to consolidate this action with the suit brought by Ms. Ramey to recover the insurance policy benefits which were wrongfully denied as a result of this unlawful conspiracy. The prior case currently is pending before Judge Bianco (No. 2:14-cv-00461-JFB-SIL). Consolidation of these two actions would conserve judicial resources as well as the resources of the parties involved because both actions involve common issues of fact. The evidence presented in both cases will be largely duplicative and a single trial will be less costly, less burdensome on the court, and less time consuming than two separate proceedings. Similar economies will also be realized from a consolidation of pretrial matters.

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Plaintiffs respectfully request that the Court schedule a pre-motion conference to discuss the requested relief. Plaintiffs will more fully address the factors favoring consolidation at the conference.

Sincerely,

/s/ J. Steve Mostyn

J. Steve Mostyn

cc: All parties via ECF